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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,110	12/06/2000	Jeffrey L. Strunk	19336-1574001	7941

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EXAMINER

LE, DUY K

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/731,110	Applicant(s) STRUNK ET AL.	
	Examiner Duy K Le	Art Unit 2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____   |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2 &amp; 3</u> | 6) <input type="checkbox"/> Other:  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-8, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Rossmann (U.S. Patent 5,809,415).

As to claim 1, Figure 5 in Rossmann shows a computer implemented system to provide a directory of contact information associated with wireless communications devices, the system comprising:

- a. a network station 500 designed to carry out software based instructions in the generation of a database system of the contact information for wireless communication devices (100, 101);
- b. a contact information gathering system (121, 131, 140) which implements a process to gather from one or more sources the contact information for one or more wireless communication devices; and
- c. an exchange system (500, 110, 111, 112) which receives from said information gathering system and transmits the contact information to one or more parties upon request.

As to claim 2, Figure 5 in Rossman shows the system as claimed in Claim 1 wherein said wireless communication devices are cellular phones 100.

As to claim 3, Figure 5 in Rossman shows the system as claimed in Claim 1 wherein said one or more sources of said contact information are one or more wireless communication service providers (110, 111).

As to claim 4, Figure 5 in Rossman shows the system as claimed in Claim 3 further comprising a router switch station 500 for coupling said network station to said wireless communication service providers ("airnet network translator 500 transfers data between the two-way data communication device and the selected computer network (120, 130, or 140)" (Col. 19, lines 55-57). As interpreted by the examiner, the airnet network translator 500 comprises a network station (a computer) and a router switch station to connect or couple to the wireless communication service providers 110 and 111).

As to claim 6, the Rossman reference discloses the system as claimed in Claim 1 further comprising software means suitable for use with the wireless communication devices, wherein said software means is configured to enable a device user to enter contact information and update said database system for access of particular individually created contact information ("an important aspect of this invention is that the client module interpreter (software means) in wireless communication device 100 generates a user interface by which the user can both initiate and receive messages from a variety of applications" (Col. 11, lines 57-60). "In one use, the user configures cellular telephone 100 to access server computer 121 on XYZ corporate wide area network 120" (Col. 12, lines 5-7)).

As to claim 7, Figure 5 in Rossman shows a method for providing contact information associated with wireless communication devices, the method comprising the steps of:

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- a. gathering the contact information from one or more sources of wireless communication device service providers (110, 111) ("the messages from a two-way data communication device, e.g., devices 100, 101, and 102, are directed to an airnet network translator 500" (Col. 19, lines 43-45). As shown in Figure 5, the messages from the wireless communication devices 100 and 101 go through networks (service providers) 110 and 111, respectively);
- b. generating a database system 500 of the contact information ("airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network" (Col. 19, lines 60-63). As interpreted by the examiner, airnet network translator 500 comprises a database system to store the transaction and billing information that include contact information necessary for correct billing); and
- c. transmitting from said database system to one or more receivers upon request the contact information associated with one or more wireless communication devices ("specifically, airnet network translator 500 provides access control for paying services and a logging mechanism for billing" (Col. 19, lines 63-65). As interpreted by the examiner, the contact information is accessed or transmitted from airnet network translator 500 to, for example, a billing service provider".

As to claim 8, Figure 5 in Rossman shows the method as claimed in Claim 7 wherein the step of gathering the contact information includes the step of linking said database system to said service providers through a router switch station ("airnet network translator 500 transfers data between the two-way data communication device and the selected computer network (120, 130,

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or 140)” (Col. 19, lines 55-57). As interpreted by the examiner, the airnet network translator 500 comprises a database system and a router switch station to connect or link the wireless communication service providers 110 and 111 to the selected computer network (120, 130, or 140)).

As to claim 10, Figure 5 in Rossman shows the wireless communication devices are cellular phones 100.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,809,415 to Rossman in view of Dreke et al. (U.S. Patent Application Publication US 2002/0035594 A1)

As to claims 5 and 9, the Rossman reference discloses the system as claimed in Claim 3 and the method as claimed in Claim 8. However, it does not disclose means to enable the network station to poll the wireless communication service providers one or more times per day to update the contact information of the database system. The Dreke reference teaches that “the users uses a client computer to periodically poll the server to receive the presence information” (page 1, Col. 2, lines 3-5) and “frequent polls from the client computer to the server are employed so that newly connecting users receive updated presence information in a timely

manner" (page 1, Col. 2, lines 6-10). As an example, "each user polls the server every 90 seconds to check for the presence of another user" (page 1, Col. 2, lines 18-19).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system and method of Rossman to further comprise means to enable the network station to poll the wireless communication service providers one or more times per day to update the contact information of the database system, as taught by Dreke, in order to receive updated contact information in a timely manner.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Molne (U.S. Patent 5,943,611) discloses cellular radiotelephones including means for generating a search request data signal and receiving a telephone number from a network directory database and related methods.

b. Shaffer et al. (U.S. Patent 5,943,410) discloses automated calling of multiple numbers using directory assistance.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy K Le whose telephone number is 703-305-5660. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Duy Le  
August 22, 2003



**NGUYEN T. VO**  
**PRIMARY EXAMINER**